### REMARKS/ARGUMENTS

### I. Status of Application

Claims 1-69 are pending in this application. In the office action dated March 22, 2006, the Examiner's analysis of the above-identified application resulted in the following actions:

- Claims 1, 8, 9, 10, 15, 20, 25, 30, 39, 40, 41, 44, 46, 47, 48, 49, 52, 55, 58, 61, 64, and 67 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,459,175 to POTEGA (hereinafter "POTEGA");
- Claims 2, 3, 11, 12, 16, 17, 21, 22, 26, 27, 31, 33, 34, 45, 53, 54, 59, 60, 65, and 66 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over POTEGA in view of U.S. Patent No. 6,493,248 to BINGLEY (hereinafter "BINGLEY"); and
- 3. Claims 4-7, 13, 14 18, 19, 23, 24, 28, 29, 32 35, 36, 37, 38, 42, 43, 50, 51, 56, 57, 62, 63, 68, and 69 were objected to as being dependent upon a rejected base claim, but were deemed allowable if written in independent form.

### II. Brief Response

Applicants respectfully traverse the rejections of the claims in view of the following remarks/arguments.

# III. The Rejection of Claims 1, 8, 9, 10, 15, 20, 25, 30, 39, 40, 41, 44, 46, 47, 48, 49, 52, 55, 58, 61, 64, and 67, Under 35 U.S.C. § 102(b), Should be Withdrawn

In the March 22, 2006 Office Action, the Examiner rejected claims 1, 8, 9, 10, 15, 20, 25, 30, 39, 40, 41, 44, 46, 47, 48, 49, 52, 55, 58, 61, 64, and 67 (hereinafter "GROUP-I Claims") as allegedly being anticipated by POTEGA. It is respectfully submitted that the rejection of GROUP-I Claims should be withdrawn because not each and every element as set forth in GROUP-I Claims is found, either expressly or inherently described, in POTEGA.

1. Claims 1, 10, 15, 20, and 25 (hereinafter "GROUP-I INDEPENDENT SYSTEM CLAIMS)

GROUP-I INDEPENDENT SYSTEM CLAIMS are directed to a system for controlling and distributing electrical energy in a vehicle electrical system. The system comprises a generator, electrical load, stored energy source (collectively "CONTROLLED COMPONENETS"), and a control device. (Means for performing such functions by structures or equivalents thereof, as described in the specification of the present application, are also covered by these claims). The control device monitors signals generated by CONTROLLED COMPONENTS and operates to selectively connect/disconnect or transfer available electrical energy from/through the CONTROLLED COMPONENTS based on electrical signatures generated by said CONTROLLED COMPONENTS.

### 2. POTEGA

POTEGA describes a power supply that "automatically reconfigures its output voltage" to meet the "correct power requirements" of the powered device. (POTEGA, abstract, Col. 11, lines 56-62.) The power supply of POTEGA draws power from a power source, for example a typical household electrical outlet, and automatically converts it to the appropriate power level for a primary device, such as a laptop computer. (POTEGA, Col. 13, lines 13-18).

3. Not Each and Every Element as Set forth in GROUP-I INDEPENDENT SYSTEM

CLAIMS is found, Either Expressly or Inherently Described, in POTEGA

In the March 22, 2006 Office Action, the Examiner stated that:

"POTEGA discloses a system for controlling and distributing electrical energy in a vehicle electrical system, comprising: a generator ([component #]1); an electrical load ([component #]12); a stored energy source ([component #]5); and a control device monitoring electrical signals generated by the generator, electrical load, and stored energy source, and processing the electrical signals to ascertain electrical signatures, and selectively connecting or disconnecting the generator, electrical load, or stored energy source, or any combination thereof, with the vehicle electrical system when said electrical signatures have been verified." (March 22, 2006 Office Action at P.2).

Accordingly, the Examiner appears to allege that the *power supply* of POTEGA (POTEGA, FIG. 1, component #2) anticipates the *control device* of the present

invention. Applicants respectfully disagree based on the following independent reasons:

- A. POTEGA's power supply and the control device of the present invention represent fundamentally different art. POTEGA essentially represents a regulator for a power supply that seeks to determine the electrical energy that is to be supplied to a load (see, e.g., POTEGA, Col. 15, lines 59-67), whereas the control device of the present invention is a switch that determines what source of electrical energy is to be selected for a load. (See, e.g., p 46 of the present invention). It makes no determination as to the electrical energy exchange. (See, Id). The control device of the present invention functions as a switch that opens or closes (selectively connects/disconnects or transfers available electrical energy) in response to an intelligent request (verifying electrical signatures). (See Id.) For example, in one embodiment, the control device of the present invention disconnects a battery from the vehicle electrical system three (3) minutes after the vehicle ignition switch has been turned off unless it detects that an emergency light has been turned on by monitoring the frequency (current fluctuation) of the electrical signal. (See, pp 22 and 30 of the present invention.)
- B. The essence of the power supply of POTEGA is to *determine the correct amount* of electrical energy to be transferred to a primary device. (POTEGA, abstract). It transfers electrical energy to supplied devices (electrical loads) or batteries by adjusting its output voltage in an incremental manner. (POTEGA, Col. 15, lines 59-67, Col. 16, lines 1-2, Col. 17, lines 66-67, Col. 18, lines 1-3, Col. 55, lines 10-13, Col. 59, lines 31-36, Col. 60, lines 60-63, Col. 63, lines 52-55, Col. 67, lines 34-38, Col. 68, lines 14-18, and Col. 74, lines 15-17). In contrast, the control device of the present invention takes no step to determine the amount of electrical energy to be transferred. Any electrical energy exchange between the CONTROLLED COMPONENTS is dictated by the components themselves. For instance, the amount of electrical energy exchange from the generator is determined by the generator voltage regulator, (see, e.g., p 46 of the present

invention), and the amount of electrical energy transferred from a stored energy source is determined by the stored electrical energy in the stored energy source (see, e.g., p 45 of the present invention). The control device of the present invention selectively connects/disconnects or transfers available electrical energy from/through the CONTROLLED COMPONENTS at a constant voltage which is either regulated by the power source, such as a generator, or available from the power source, such as a stored energy source. (See e.g., pp 48 of the present application).

- C. Current, voltage, and power signatures generated by the primary device of POTEGA are used by the power supply to determine the amount of electrical energy that is to be delivered to the primary device. (POTEGA, Col. 19, lines 7-31, Col. 24, lines 54-67, Col. 25, lines 1-3, 37-46, 63-67, Col. 26 lines 1-2, Col. 27, lines 24-26, Col. 60, lines 9-12, 22-26, 57-60, Col. 65, lines 23-27, Col. 66, lines 20-24, 61-65, and Col. 67, lines 11-17.) In contrast, the control device of the present invention uses electrical signatures generated by CONTROLLED COMPONENTS to selectively connect/disconnect or transfer available electrical energy from/through of the CONTROLLED COMPONENTS. (See, e.g., pp 45-51 of the present application). As set forth above, the control device of the present invention does not determine the amount of electrical energy exchange in the vehicle electrical system as such amount is determined by the components themselves. (See Id.)
- D. The power supply described in POTEGA (POTEGA, FIG. 1, component #2) draws power from the power source (POTEGA, FIG. 1, component #1). *The power supply can not disconnect the power source* because the latter is the only source of electrical power to the former. (POTEGA, FIG. 1, Col. 13, lines 13-18. See, also, FIGs. 2-4, 6-6a, 10, 13, and 14). In contrast, the control device of the present invention is capable of *selectively connecting/disconnecting* the generator (the equivalent of the power source, component #1, of POTEGA according to the Examiner, see March 26, 2006 Office Action at P.2) with the vehicle electrical

- system without affecting operation of the vehicle's electrical system. (See, e.g. p 28 of the present invention.) In deed, the control device of the present invention is capable of selectively connecting/disconnecting multiple electrical power sources, for instance generator and stored energy source, or any combination thereof, so that the electrical system may operate properly when one or more of these sources is inoperative or otherwise malfunctioning. (See, *Id.*)
- E. The primary device in POTEGA (POTEGA, FIG. 1, component #13) is comprised of a supplied device, for example a portable audio CD-player, and a battery. (POTEGA, Col. 13, lines 19-22.) A connector, coupled with the power supply, is placed between the supplied device and battery where data and/or power signals are transmitted to the power supply. However, the power supply is incapable of selectively connecting/disconnecting the supplied device or the battery upon verifying electrical signatures generated by these components. In contrast, the present invention monitors signals from the CONTROLLED COMPONENTS, ascertaining certain electrical signatures, and selectively connecting/disconnecting or transferring available electrical energy between them. (See, e.g., pp 45-51 of the present application). For example, a battery may be disconnected from the vehicle electrical system when an electrical signature generated by a generator is verified. Or alternatively, disconnection of a battery may be inhibited when an electrical signature generated by the electrical load is verified. In yet another alternative scenario, a generator may transfer electrical energy to an electrical load when an electrical signature from the battery has been verified. Thus, the control device may connect, disconnect, or transfer electrical energy from one of the CONTROLLED COMPONENTS based on a signal generated by another. (See, Id.). Such monitoring/signature-verifying scheme is implemented to insure the desired control and distribution of electrical energy in the vehicle electrical system.
- F. The switch described in POTEGA operates at electrical power levels that are at least an order of magnitude smaller than those used in a vehicle electrical system.

POTEGA's power supply uses the switch to deliver electrical power to such devices as laptop computers, tape recorders, personal audio/video equipment, hand held video games, PDAs (personal digital assistants), and the like.

(POTEGA, abstract, Col. 1, lines 19-33, Col. 3, lines 20-35, Col. 4, lines 8-22, and Col. 13, lines 31-32) In contrast, the switch of the present invention is capable of handling electrical power switching between multiple stored energy sources, generators, and electrical loads in a vehicle electrical system. (See, e.g., p 17 of the present application).

Accordingly, for multiple independent reasons as set forth above, it is respectfully submitted that the anticipation rejection under 35 U.S.C. § 102(b) of GROUP-I INDEPENDENT SYSTEM Claims should be withdrawn.

## 4. Claims 8 and 9 (hereinafter "GROUP-I DEPENDENT SYSTEM CLAIMS)

GROUP-I DEPENDENT SYSTEM CLAIMS also stand rejected as allegedly being anticipated by POTEGA. GROUP-I DEPENDENT SYSTEM CLAIMS depend from and incorporate all of the limitations of Claim 1 of GROUP-I INDEPENDENT SYSTEM CLAIMS.

Accordingly, for at least the same reasons as those set forth above in connection with GROUP-I INDEPENDENT SYSTEM CLAIMS, it is respectfully submitted that the anticipation rejection under 35 U.S.C. § 102(b) of GROUP-I DEPENDENT SYSTEM CLAIMS should be withdrawn.

## 5. Claims 30 and 41 (hereinafter "GROUP-I INDEPENDENT DEVICE CLAIMS)

GROUP-I INDEPENDENT DEVICE CLAIMS are directed to a control device for controlling and distributing electrical energy in a vehicle electrical system. The control device comprises a processor including a programming code, a sensor capable of detecting electrical signals generated by CONTROLLED COMPONENETS, and a switching system for CONTROLLED COMPONENETS. (Means for performing such functions by structures or equivalents thereof, as described in the specification of the present application, are also covered by these claims). *The processor monitors* 

signals generated by CONTROLLED COMPONENTS and operates to selectively connect/disconnect or transfer available electrical energy from/through the CONTROLLED COMPONENTS based on electrical signatures generated by said CONTROLLED COMPONENTS.

#### 6. POTEGA

POTEGA describes a power supply that "automatically reconfigures its output voltage" to meet the "correct power requirements" of the powered device. (POTEGA, abstract, Col. 11, lines 56-62.) The power supply of POTEGA draws power from a power source, for example a typical household electrical outlet, and automatically converts it to the appropriate power level for a primary device, such as a laptop computer. (POTEGA, Col. 13, lines 13-18).

7. Not Each and Every Element as Set forth in GROUP-I INDEPENDENT DEVICE CLAIMS is found, Either Expressly or Inherently Described, in POTEGA In the March 22, 2006 Office Action, the Examiner stated that:

"POTEGA discloses a system for controlling and distributing electrical energy in a vehicle electrical system, comprising: a generator ([component #]1); an electrical load ([component #]12); a stored energy source ([component #]5); and a control device monitoring electrical signals generated by the generator, electrical load, and stored energy source, and processing the electrical signals to ascertain electrical signatures, and selectively connecting or disconnecting the generator, electrical load, or stored energy source, or any combination thereof, with the vehicle electrical system when said electrical signatures have been verified." (March 22, 2006 Office Action at P.2).

Accordingly, the Examiner appears to allege that the *power supply* of POTEGA (POTEGA, FIG. 1, component #2) anticipates the *control device* of the present invention. Applicants respectfully disagree for at least the same reasons as those set forth above in connection with GROUP-I INDEPENDENT SYSTEM CLAIMS.

Therefore, it is respectfully submitted that the anticipation rejection under 35 U.S.C. § 102(b) of GROUP-I INDEPENDENT DEVICE Claims should be withdrawn.

8. Claims 39 and 40 (hereinafter "GROUP-I DEPENDENT DEVICE CLAIMS)

GROUP-I DEPENDENT DEVICE CLAIMS also stand rejected as allegedly being anticipated by POTEGA. GROUP-I DEPENDENT DEVICE CLAIMS depend from

and incorporate all of the limitations of Claim 30 of GROUP-I INDEPENDENT DEVICE CLAIMS. Accordingly, for at least the same reasons as those set forth above in connection with GROUP-I INDEPENDENT DEVICE CLAIMS, it is respectfully submitted that the anticipation rejection under 35 U.S.C. § 102(b) of GROUP-I DEPENDENT DEVCIE CLAIMS should be withdrawn.

## 9. Claims 44, 52, 58, and 64 (hereinafter "GROUP-I INDEPENDENT METHOD CLAIMS)

GROUP-I INDEPENDENT METHOD CLAIMS are directed to a method for controlling and distributing electrical energy in a vehicle electrical system. The method comprises monitoring signals generated by CONTROLLED COMPONENETS, processing the signals, and selectively connecting/disconnecting or transferring available electrical energy from/through the CONTROLLED COMPONENTS based on electrical signatures generated by said CONTROLLED COMPONENTS.

#### 10. POTEGA

POTEGA describes a power supply that "automatically reconfigures its output voltage" to meet the "correct power requirements" of the powered device. (POTEGA, abstract, Col. 11, lines 56-62.) The power supply of POTEGA draws power from a power source, for example a typical household electrical outlet, and automatically converts it to the appropriate power level for a primary device, such as a laptop computer. (POTEGA, Col. 13, lines 13-18).

11. Not Each and Every Element as Set forth in GROUP-I INDEPENDENT METHOD

CLAIMS is found, Either Expressly or Inherently Described, in POTEGA

In the March 22, 2006 Office Action, the Examiner stated that:

"POTEGA discloses a system for controlling and distributing electrical energy in a vehicle electrical system, comprising: a generator ([component #]1); an electrical load ([component #]12); a stored energy source ([component #]5); and a control device monitoring electrical signals generated by the generator, electrical load, and stored energy source, and processing the electrical signals to ascertain electrical signatures, and selectively connecting or disconnecting the generator, electrical load, or stored energy source, or any combination thereof, with the vehicle

electrical system when said electrical signatures have been verified." (March 22, 2006 Office Action at P.2).

Accordingly, the Examiner appears to allege that *the method of operation of the power supply* of POTEGA (POTEGA, FIG. 1, component #2) anticipates *the method of operation of the control device* of the present invention. Applicants respectfully disagree for at least the same reasons as those set forth above in connection with GROUP-I INDEPENDENT SYSTEM CLAIMS. Therefore, it is respectfully submitted that the anticipation rejection under 35 U.S.C. § 102(b) of GROUP-I INDEPENDENT METHOD Claims should be withdrawn.

## 12. Claims 46, 47, 48, 49, 55, 61, and 67 (hereinafter "GROUP-I DEPENDENT METHOD CLAIMS)

GROUP-I DEPENDENT METHOD CLAIMS also stand rejected as allegedly being anticipated by POTEGA. GROUP-I DEPENDENT METHOD CLAIMS depend from and incorporate all of the limitations of one or more of GROUP-I INDEPENDENT METHOD CLAIMS. Accordingly, for at least the same reasons as those set forth above in connection with GROUP-I INDEPENDENT METHOD CLAIMS, it is respectfully submitted that the anticipation rejection under 35 U.S.C. § 102(b) of GROUP-I DEPENDENT METHOD CLAIMS should be withdrawn.

# IV. The Rejection of Claims 2, 3, 11, 12, 16, 17, 21, 22, 26, 27, 31, 33, 34, 45, 53, 54, 59, 60, 65, and 66 Under 35 U.S.C. § 103(a), Should be Withdrawn

In the March 22, 2006 Office Action, the Examiner rejected claims 2, 3, 11, 12, 16, 17, 21, 22, 26, 27, 31, 33, 34, 45, 53, 54, 59, 60, 65, and 66 (hereinafter "GROUP-II Claims") as allegedly being obvious over POTEGA in view of BINGLEY. It is respectfully submitted that the rejection of GROUP-II Claims should be withdrawn. As an initial matter, POTEGA does not anticipate the independent claims from which GROUP-II Claims depend (see, e.g., section III.3.A-E). Additionally, the rejection should be withdrawn, at least, because 1) there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, 2) there is no

reasonable expectation of success, or 3) the references, separately or combined, do not teach or suggest all the claim limitations.

### 1. GROUP-II CLAIMS

GROUP-II CLAIMS depend from and incorporate all of the limitations of their corresponding independent claims, i.e., GROUP-I INDEPENDENT SYSTEM CLAIMS, GROUP-I INDEPENDENT DEVICE CLAIMS, and GROUP-I INDEPENDENT METHOD CLAIMS, respectively. GROUP-II CLAIMS are directed to a system/device/method for controlling and distributing electrical energy in a vehicle electrical system. The control device monitors signals generated by CONTROLLED COMPONENTS and operates to selectively connect/disconnect or transfer available electrical energy from/through the CONTROLLED COMPONENTS based on electrical signatures generated by said CONTROLLED COMPONENTS, wherein the control device further comprises means for sensing a frequency and amplitude of the electrical signals.

## 2. POTEGA

POTEGA describes a power supply that "automatically reconfigures its output voltage" to meet the "correct power requirements" of the powered device. (POTEGA, abstract, Col. 11, lines 56-62.) The power supply of POTEGA draws power from a power source, for example a typical household electrical outlet, and automatically converts it to the appropriate power level for a primary device, such as a laptop computer. (POTEGA, Col. 13, lines 13-18).

### 3. BINGLEY

BINGLEY describes an inverter charger, coupled to a battery and utility/generator unit, which may be used to provide AC power to a load when the utility/generator unit fails, and to charge the battery when the utility/generator unit is operating.

(BINGLEY, Col. 1, lines 36-46) The inverter charger uses a "single phase inverter unit having eight inverter stages" that produces a regulated sinusoidal output

- voltage for the load and draws sinusoidal current from the utility/generator unit for regulated charging. (BINGLEY, Col. 1, lines 66-67, and Col. 2, lines 1-51).
- 4. There Is No Suggestion or Motivation, Either in the References Themselves or in the Knowledge Generally Available to One of Ordinary Skill in the Art, to Modify the Reference or to Combine Reference Teachings

In the March 22, 2006 Office Action, the Examiner stated that:

"POTEGA discloses the system of claim 1 wherein the control device comprises means for sensing amplitude of electrical signals generated by said electrical load and stored energy source in the electrical system. ¶ POTEGA does not disclose means for sensing a frequency of said generator. ¶ BINGLEY discloses means for sensing frequency from generator ([component #]6) for controlling frequency to load ([component #]3). ¶ It would have been obvious to one of ordinary skill in the art at the time of this invention to modify the sensing means of the universal power supply disclosed by POTEGA to sense the generator frequency. The motivation to sense the generator frequency would have been to control the frequency to a load." (March 22, 2006 Office Action at P.3).

Accordingly, the Examiner appears to allege that the sensing means of the power supply of POTEGA could be modified to sense the generator frequency to arrive at the control device of the present invention. Applicants respectfully disagree based on the following independent reasons:

- A. As discussed above, the present invention monitors electrical signals generated by CONTROLLED COMPONENTS and selectively connects/disconnects or transfers available electrical energy from/through the CONTROLLED COMPONENTS upon verification of certain electrical signatures. (See e.g., pp 48 of the present application). As discussed above, (see, e.g., section III.3.A-E), POTEGA does not anticipate the control device of the present invention. Therefore, POTEGA is inapplicable for use as a reference in this obviousness rejection.
- B. Although, electrical signatures, as used in the present invention, is not limited to amplitude and frequency, in one embodiment, the control device of the present invention monitors the amplitude and frequency of the electrical signals to ascertain the electrical signatures. POTEGA does not monitor the amplitude of

electrical signals for the purpose of selectively connecting/disconnecting or transferring available electrical energy from/through the CONTROLLED COMPONENTS (see, section III.3.A-E). Therefore, even if BINGLEY teaches or suggests modifying the sensing means of POTEGA's power supply to further monitor the frequency of the electrical signals, the combined system does not arrive at the present invention, i.e., POTEGA and BINGLEY, separately or combined, do not selectively connect/disconnect or transfer available electrical energy from/through the CONTROLLED COMPONENTS.

C. BINGLEY uses a control unit that "senses synchronization" of the inverter and utility/generator (BINGLEY, Col. 3, lines 14-23). BINGLEY does not monitor the frequency of electrical signals generated by the utility/generator. It appears that BINGLEY uses the phase of signals generated by the utility/generator to synchronize the output of the inverter and utility/generator. Therefore, BINGLEY does not teach or suggest to modify POTEGA's sensing means to monitor the frequency of the electrical signals generated by the utility/generator.

Accordingly, for multiple independent reasons as set forth above, it is respectfully submitted that the obviousness rejection under 35 U.S.C. § 103(b) of GROUP-II Claims should be withdrawn.

## 5. There Is No Reasonable Expectation of Success

For at least the same reasons as those set forth above in connection with GROUP-II CLAIMS, it is respectfully submitted that there is no reasonable expectation of success, and accordingly the obviousness rejection under 35 U.S.C. § 103(a) of GROUP-II CLAIMS should be withdrawn.

6. <u>The References, Separately or Combined, Do Not Teach or Suggest All the Claim</u>
Limitations

For at least the same reasons as those set forth above in connection with GROUP-II CLAIMS, it is respectfully submitted that the references, separately or combined, do

not teach or suggest all the claim limitations, and accordingly the obviousness rejection under 35 U.S.C. § 103(a) of GROUP-II CLAIMS should be withdrawn.

# V. <u>The Objection to Otherwise Allowable Claims 4-7, 13, 14 18, 19, 23, 24, 28, 29, 32</u> 35, 36, 37, 38, 42, 43, 50, 51, 56, 57, 62, 63, 68, and 69 Should be Withdrawn

In the March 22, 2006 Office Action, the Examiner objected to claims 4-7, 13, 14 18, 19, 23, 24, 28, 29, 32 35, 36, 37, 38, 42, 43, 50, 51, 56, 57, 62, 63, 68, and 69 (hereinafter "GROUP-III Claims") as allegedly being dependent upon a rejected base claim, but would be allowable if written in independent form including all of the limitations of the base claim and any intervening claims. Applicants appreciate the Examiner's indication of allowability of GROUP-III Claims, and further acknowledge and agree with the Examiner that said claims are not anticipated nor rendered obvious in view of the above-identified references. However, Applicants believe that in light of the above remarks/arguments GROUP-III Claims are in condition for allowance. Applicants respectfully request that the Examiner withdraw the objection to said claims.

## VI. <u>NEW CLAIMS</u>

Applicants have added new independent claims 70, 72, and 74, and dependent claims 71, 73, and 75. Applicants submit that these claims are fully supported by the specification as filed and that they are allowable for at least the same reasons as set forth above. New claims 70, 72, and 74 are independent claims that, although different in scope, contain many of the same features as claims 1-69. New claims 71, 73, and 75 depend from claims 70, 72, and 74, respectively. Applicants submit that no new matter has been added and that these new claims are in condition for allowance.

## VII. <u>CONCLUSION</u>

For all of the foregoing reasons, it is respectfully submitted the Applicants have made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

Very truly yours,

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